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Office of the City Attorney  
John A. Russo  
City Attorney

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February 17, 2009

**HONORABLE CITY COUNCIL – CONSENT CALENDAR**  
Oakland, California

**Subject: Sherri Banks v. City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG06-284463**  
**City Attorney File No. X02943 (OFD)**

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared a resolution and requests your approval of same, authorizing compromise and settlement of the above-entitled action in the total sum of Three Hundred Twenty-Five Thousand Dollars (\$325,000), payable to plaintiff Sherri Banks and Stephen M. Fuerch, Esq., her attorney.

The lawsuit claims gender-based discrimination arising out of her employment with the Oakland Fire Department. The settlement is recommended as a compromise of this matter after a jury verdict in favor of the plaintiff on liability. This matter was heard in Closed Session on December 9, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

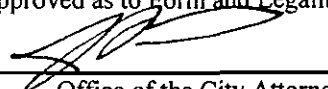
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Rachel Wagner  
Vicki Laden

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 FEB -2 PM 3:16

Approved as to Form and Legality

  
Office of the City Attorney

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SHERRI BANKS V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG06-284463, IN THE AMOUNT OF \$325,000 (OAKLAND FIRE DEPARTMENT)**

**WHEREAS:** Ms. Banks claims that she experienced gender-based discrimination while employed by the Oakland Fire Department,

**WHEREAS:** Settlement is recommended as a compromise of this matter after a jury verdict in favor of the plaintiff on liability.

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Sherri Banks v. City of Oakland, et al., Alameda County Superior Court Case No. RG06-284463, City Attorney's File No. X02943, for a sum not to exceed a total amount of Three Hundred Twenty-Five Thousand Dollars and No Cents (\$325,000.00), payable by the City of Oakland.

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

**FURTHER RESOLVED:** That the sum of Three Hundred Twenty-Five Thousand Dollars and No Cents (\$325,000.00), be paid to Sherri Banks and Stephen M. Fuerch, Esq., her attorney.

**IN COUNCIL, OAKLAND, CALIFORNIA,** \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and  
PRESIDENT BRUNNER

**NOES-**

**ABSENT-**

**ABSTENTION-**

Attest: \_\_\_\_\_

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

Date of Attestation: \_\_\_\_\_